IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT No. 2003 of 1988

Raptakos Brett & Co. Ltd. & Anr. .. Plaintiffs

versus

Ashok Transport of India .. Defendant

...

Mr.Sanjiv Singh i/b Narichania & Narichania for the plaintiffs.

None for the defendant.

CORAM : D.G. KARNIK, J

DATED : 22nd June 2006.

P.C.:

1. Heard learned counsel for the plaintiffs. None present for the defendant.

2. Counsel for the plaintiff points out that suit is for recovery of money and the defendant has not filed written statement for several years. He therefore prays for a decree under Order 8 Rule 10 of

the Code of Civil Procedure. In the absence of written statement, averments made in the plaint are deemed to be admitted.

3. Suit of the plaintiff is decreed under Order 8 Rule 10 of the Code of Civil Procedure in terms of prayer clauses (a) and (b).

(D.G. KARNIK, J)